



Dkt. 75990-B/JPW/BJA/LM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Paul Simmons et al.
Serial No.: 10/813,747 Examiner: M. Belyavskiy
Filed : March 29, 2004 Group Art Unit: 1644
For : MESENCHYMAL PRECURSOR CELL

30 Rockefeller Plaza
New York, New York 10112
August 28, 2009

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**AMENDMENT IN RESPONSE TO APRIL 28, 2009 FINAL OFFICE ACTION,
AND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
AS SUBMISSIONS UNDER 37 C.F.R. §1.114(C)
TO THE ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION
AND PETITION FOR ONE MONTH EXTENSION OF TIME**

This Amendment is a submission under 37 C.F.R. §1.114(c) to accompany a Request for Continued Examination (RCE) and responds to the rejections in the April 28, 2009 Final Office Action issued by the U.S. Patent and Trademark Office in connection with the above-identified application. A response to the April 28, 2009 Final Office Action was originally due July 28, 2009. Applicants hereby petition for a one month extension of time. The fee for a one month extension of time for a small entity is SIXTY FIVE DOLLARS (\$65.00), and a check for this amount is enclosed. With a one month extension of time, a response is now due August 30, 2009. Accordingly, the RCE, and this Amendment and Supplemental Information Disclosure Statement as submissions to accompany the RCE are being timely filed.

Please amend the subject application as follows:

Amendments to the Claims begin on page 309261/200919113a p.00000001 10813747

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Remarks begin on page 5 of this paper.

The Supplemental Information Disclosure Statement begins on page 11 of this paper.